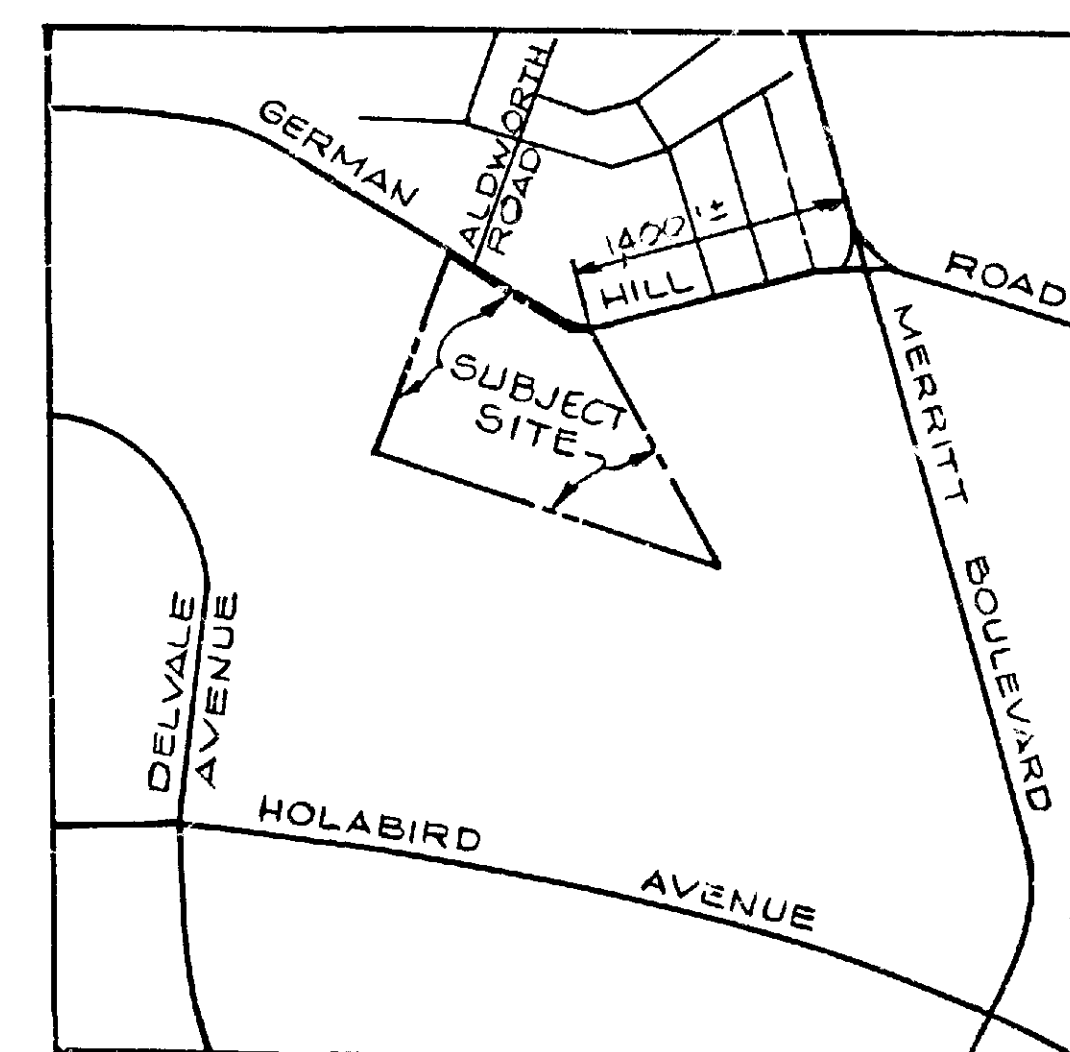
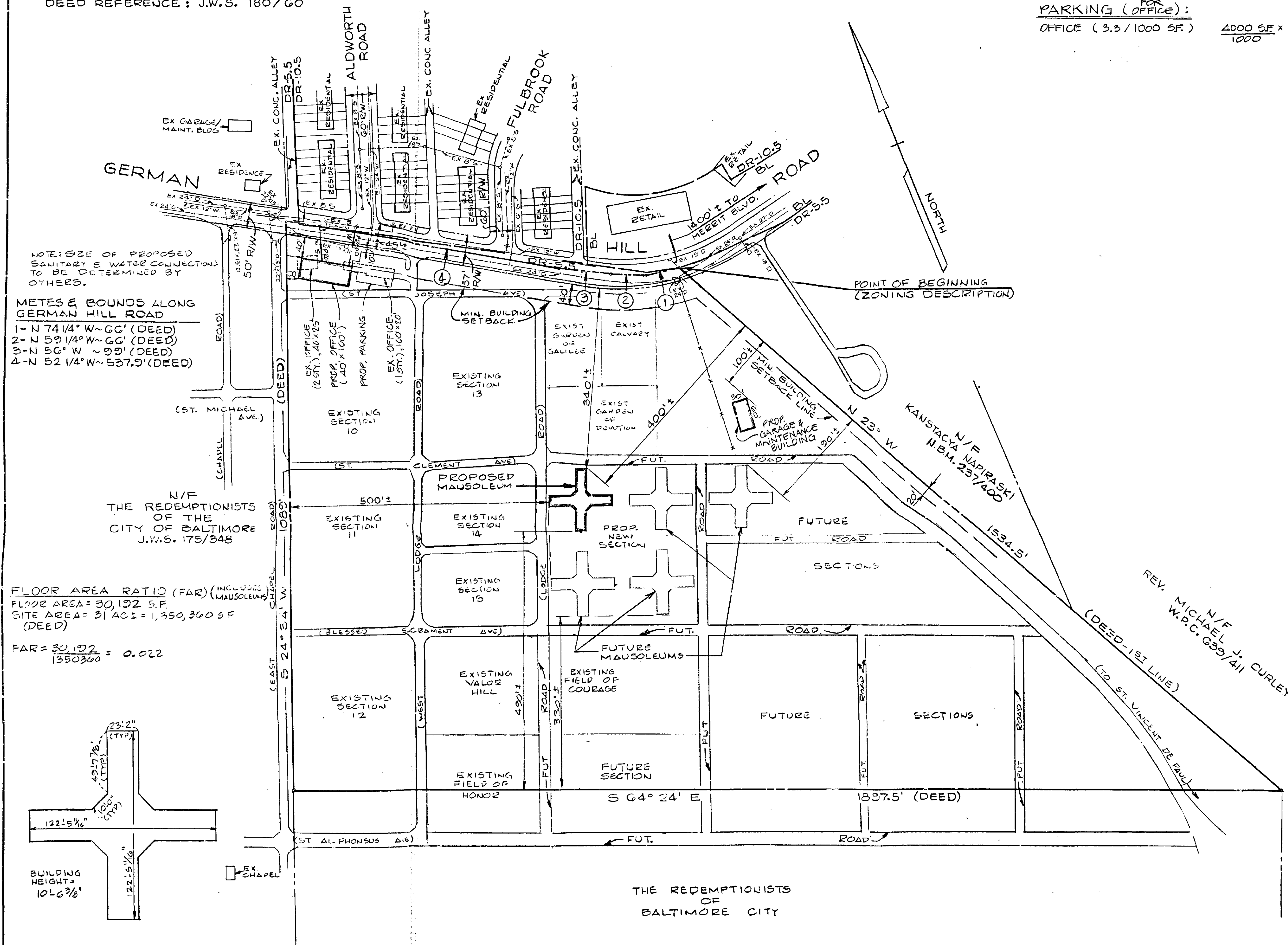


PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL EXCEPTION

PROPERTY ADDRESS: #7401 GERMAN HILL ROAD
OWNER: THE REDEMPTIONISTS OF BALTIMORE CITY
DEED REFERENCE: J.W.S. 180/60

PARKING (FOR OFFICE):
OFFICE (3.5/1000 SF) $\frac{4000 \text{ SF} \times 3.5}{1000} = 14 \text{ PS.}$



VICINITY MAP
SCALE: 1" = 1000'

LOCATION INFORMATION

ELECTION DISTRICT: 12
COUNCILMANIC DISTRICT: 7
1" = 200' SCALE MAP: SE 2-E & 2-F
ZONING: DR-5.5
LOT SIZE: 31 ± (DEED) ACREAGE
PREVIOUS COMMERCIAL PERMIT:
SEWER WATER: ☒ YES ☐ NO
CHESAPEAKE BAY CRITICAL AREA: ☐ YES ☒ NO
PRIOR ZONING HEARINGS: NONE ON RECORD

ZONING OFFICE USE ONLY!

REVIEWED BY: ITEM # CASE #

QCM 502

94-514-X

PETITIONER'S
EXHIBIT No 1

Design	TLB
Check	TAC
Design	
Check	
DATE	REVISIONS

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
6603 YORK ROAD (410) 377-2600 BALTIMORE, MARYLAND 21212

OWNER:
THE REDEMPTIONISTS OF BALTIMORE CITY
7401 GERMAN HILL ROAD
BALTIMORE, MD, 21222

PLAT TO ACCOMPANY SPECIAL EXCEPTION
SACRED HEART OF JESUS CEMETERY
12TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

SHEET 1 OF 1
DATE JUN. 7, 1994
SCALE 1" = 100'
CONTRACT NUMBER 94-116

RE: PETITION FOR SPECIAL EXCEPTION *
7401 German Hill Road, SW/S German
Hill Road, 14003 W of c/I Merritt *
Boulevard, 12th Election Dist., 7th
Councilmanic *
The Redeptionists of Balto. City *
Petitioners * * * * *

BEFORE THE
ZONING COMMISSIONER
FOR BALTIMORE COUNTY
CASE NO.: 94-514-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12 day of June, 1994, a copy of the foregoing Entry of Appearance was mailed to Thomas A. Church, Development Engineering Consultants, Inc., 6603 York Road, Baltimore, Md. 21113, representative for Petitioners.

PETER MAX ZIMMERMAN

• Applicant ADVISED ATTY.
Must BE PRESENT
AT HEARING.
502

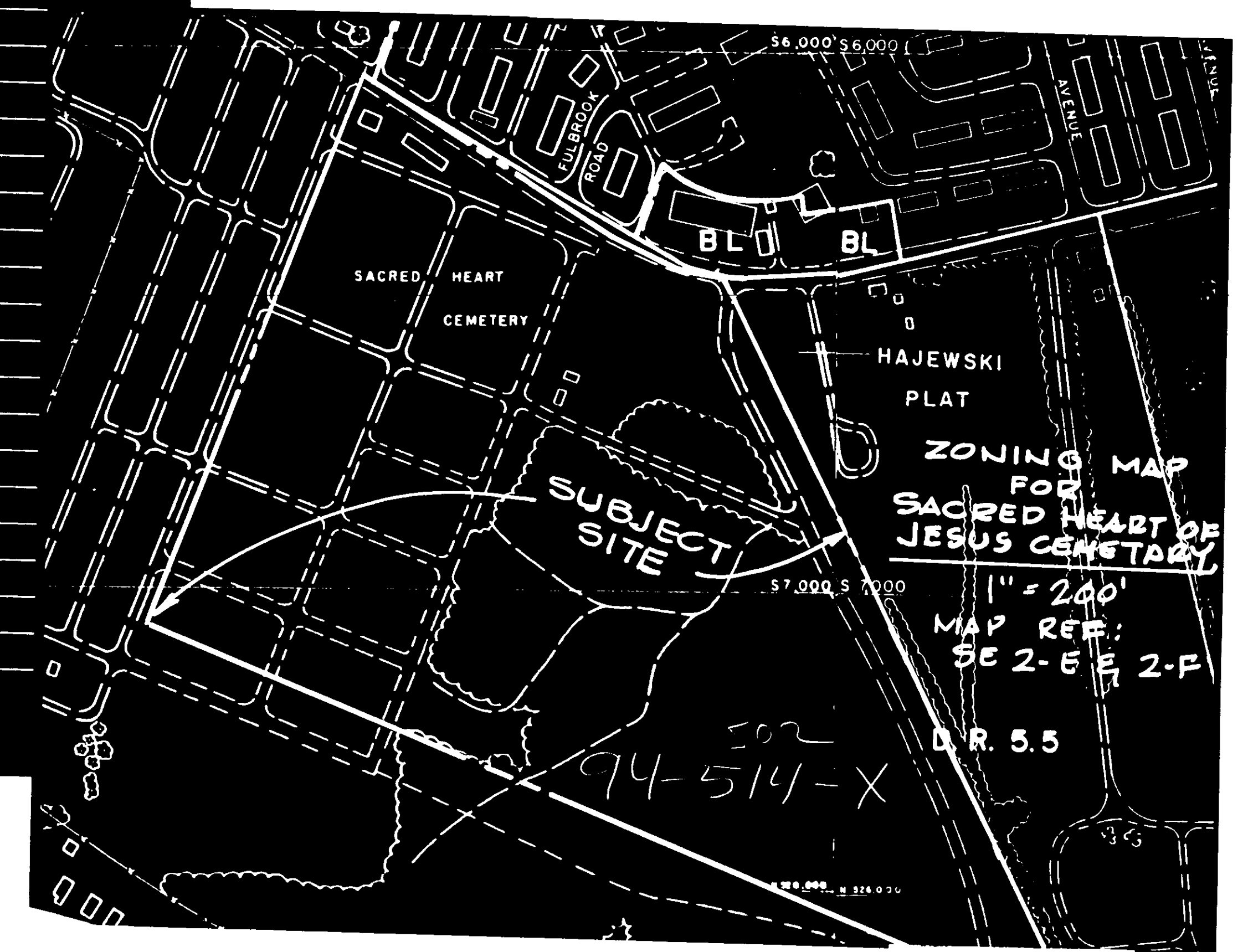
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

T.A. Church (Engineer) 6603 York Rd. 21212
Richard A. Komalazyk Attorney 3328 E. Baltimore St.
Balto. 21224



Item Number: 502
Planner: JCM
Date Filed: 6-20-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the zoning commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the zoning commissioner's review of the petition regarding the items noted below. If the zoning commissioner's review of the petition regarding the items noted below, the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing.

_____ Descriptions, including accurate beginning point
_____ Actual address of property
_____ Zoning
_____ Acreage
_____ Plats (need 12, only _____ submitted)
_____ 200 scale zoning map with property outlined
_____ Election district
_____ Councilmanic district
_____ L&ZR section information and/or wording
_____ Hardship/practical difficulty information
_____ Owner's signature (need minimum 1 original signature) and/or
_____ printed name and/or address and/or telephone number
_____ Contract purchaser's signature (need minimum 1 original
signature) and/or printed name and/or address
_____ Signature (need minimum 1 original signature) and/or
printed name and/or title of person signing for legal
owner/contract purchaser
_____ Power of attorney or authorization for person signing for
legal owner and/or contract purchaser
_____ Attorney's signature (need minimum 1 original signature)
and/or printed name and/or address and/or telephone number
_____ Notary Public's section is incomplete and/or incorrect
and/or commission has expired

PET-FLAG (TWYSOPH)
11/17/93

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied; however, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

For newspaper advertising:

Item No.: 502

Petitioner: The Redeptionists of Baltimore City

Location: 7401 German Hill Rd., Towson, Md. 21222

PLEASE FORWARD BILL TO:

NAME: Thomas Church

ADDRESS: 6603 York Road

Baltimore, Md. 21212

* PHONE NUMBER: 377-2600

MUST BE SUPPLIED

TO: FUTURE PUBLISHING COMPANY
June 30, 1994 Issue - Jeffersonian

Please forward billing to:

Thomas Church
6603 York Road
Baltimore, Maryland 21212
377-2600

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-514-X (Item 502)
7401 German Hill Road
SW/S German Hill Road, 1400 feet W of c/l Merritt Boulevard
12th Election District - 7th Councilmanic
Petitioner(s): The Redeptionists of Baltimore City

HEARING DATE: WEDNESDAY, JULY 20, 1994 at 9:00 a.m., Rm. 118, Old Courthouse
Special Exception for construction of five (5) mausoleums, office building, and maintenance building at the Sacred Heart Cemetery.

LAURENCE E. SCUDIT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3351.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204
June 22, 1994

(410) 887-3353

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in

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or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-514-X (Item 502)
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HEARING DATE: WEDNESDAY, JULY 20, 1994 at 9:00 a.m., Rm. 118, Old Courthouse
Special Exception for construction of five (5) mausoleums, office building, and maintenance building at the Sacred Heart Cemetery.

Arnold Jablon
Director

cc: Rev. Dennis Foley, C.S.R.
Thomas A. Church

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

Printed with Recycled Ink
on Recycled Paper

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 6, 1994

Dennis Foley, C.S.R.
The Redeptionists of Baltimore City
7401 German Hill Road
Baltimore, Maryland 21222

RE: Case No. 94-514-X, Item No. 502
Petition for Special Exception
Petitioner: The Redeptionists of Baltimore City

Dear Mr. Foley:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on June 20, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1. The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 4502 (JCM)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for DAVID M. KAMSEY, ACTING CHIEF
John Constable, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 (toll free)
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21206-5500

(410) 887-4500

DATE: 06/22/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1100

RE: Property Owner: THE REDEMPTIONISTS OF BALTIMORE CITY

LOCATION: SW/S GERMAN HILL RD., 1400' W OF CENTERLINE MERRITT BLVD.
(7401 GERMAN HILL RD. SACRED HEART CEMETERY)

Item No.: 502

Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4861, MS-1100F

cc: File

RECEIVED
JUN 23 1994
ZADM

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management
FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: June 28, 1994

SUBJECT: 7401 German Hill Road

INFORMATION:

Item Number: 502

Petitioner: The Redeptionists of Baltimore City

Property Size: _____

Zoning: D.R. 5.5

Requested Action: _____

Hearing Date: _____

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided and analysis conducted, it is clear to staff that the surrounding residents will in no way be impacted by the proposed mausoleums.

Prepared by: Jeffrey M. Long

Division Chief: _____

PK/JL:lw

ZAC.502/PZONE/ZAC1

Pg. 1

IN RE: PETITION FOR SPECIAL EXCEPTION
SW/S German Hill Road, 1400 ft.
W of c/1 Merritt Boulevard
7401 German Hill Road
12th Election District
7th Councilmanic District
The Redemptionists of Baltimore
City, Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-514-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 7401 German Hill Road near that roadways intersection with Merritt Boulevard. The property is the site of the Sacred Heart of Jesus Cemetery, a use for this property which has existed for nearly 100 years. Special Exception relief is requested to allow the construction of 5 mausoleums, office building and maintenance building on the subject site.

Appearing at the public hearing held for this case was Thomas A. Church, an engineer/surveyor from Development Engineering Consultant, Inc.. Mr. Church prepared the site plan marked as Petitioner's Exhibit No. 1. Also present was Richard A. Kowalczyk, Esquire, representing the owners of the cemetery, The Redemptionists of Baltimore City. There were no Protestants present.

Testimony and evidence presented was that the subject site is approximately 31 acres in area and is zoned D.R.5.5. As noted above, this property has been used as a cemetery for many years. The Petitioner proposed constructing 5 mausoleum buildings within the interior of the site. The mausoleum will be configured in the shape of a cross and provide additional area for interment. Moreover, an old residence which is formerly the home of the caretaker will be razed. In its place, the Petitioner will construct a small office building and a maintenance building for use of the property owners.

The proposed uses are permitted in a D.R.5.5 only by special exception. In order for the special exception to be approved, the Petitioner must adduce testimony and evidence that the proposed use will not be detrimental to the health, safety and general welfare of the locale. This specific standards to be applied to the Petitioner is found in Section 502.1 of the Baltimore County Zoning Regulations (BCZR).

A comment from the Zoning Plans Advisory Committee (Office of Planning and Zoning) stated that "... the surrounding residents will in no way be impacted by the proposed mausoleums." I fully concur with this assessment. It is clear that the proposed additions will not change the character of the existing use in any manner. This is a large tract and the use thereof is well established. The proposed additions are entirely consistent with that use and clearly will not be detrimental to the surrounding community. Based upon the uncontradicted testimony and evidence presented, I will, therefore, approve the Petition for Special Exception.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 28th day of July, 1994 that, pursuant to the Petition for Special Exception, approval for construction of 5 mausoleums, office building and maintenance building on the subject site, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this order is reversed, the Petitioner would be required to return, and be responsible for

returning, said property to its original condition.

LES:mmn

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-1386

July 28, 1994

Richard A. Kowalczyk, Esquire
3328 E. Baltimore Street
Baltimore, Maryland 21224

RE: Petition for Special Exception
Case No. 94-514-X
The Redemptionists of Baltimore City, Petitioner

Dear Mr. Kowalczyk:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn

att.

cc: Mr. T.A. Church
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, Md. 21212

ORDER RECEIVED FOR FILING
Date 7/28/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/28/94
By [Signature]

ORDER RECEIVED FOR FILING
Date 7/28/94
By [Signature]

- 3 -

Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 7401 GERMAN HILL ROAD
which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner of the property situated in Baltimore County and which is described in this description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

CONSTRUCTION OF FIVE (5) MAUSOLEUMS, OFFICE BUILDING AND MAINTENANCE BUILDING AT THE SACRED HEART OF JESUS CEMETERY.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contracted Person(s), Agent:

Type of Print Name:

Signature:

Address:

City:

State:

Zipcode:

Attorney for Petitioner:

Type of Print Name:

Signature:

Address:

City:

State:

Zipcode:

With do solemnly declare and affirm, under the penalties of perjury, that I am the legal owner of the property which is the subject of the Petition.

Legal Owner:

THE REDEMPTIONISTS

OF BALTIMORE CITY

Type of Print Name:

Signature:

Rev. Dennis Foley, C.Ss.R.

Type of Print Name:

Signature:

7401 GERMAN HILL ROAD

Address:

BALTIMORE MD 21222

City:

State:

Zipcode:

THOMAS A. CHURCH

DEVELOPMENT ENGINEERING CONSULTANTS, INC.

Name:

6603 YORK RD. 377-2600

BALTIMORE, MD 21212

OFFICE PHONE:

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following date: West Two Months

ALL OTHER DATE: 6-28-94

REVIEWED BY: [Signature] DATE: 6-28-94

ZONING DESCRIPTION

Zoning Description for #7401 German Hill Road, Election District 12, Councilmanic District 7.

Beginning at a point at the centerline of German Hill Road which is 57 feet wide at a distance of 1,400 feet west of the centerline of the nearest improved intersecting street Merritt Boulevard which is variable width; being at the end of the first line of the parcel of land described in the Deed recorded in Liber 180, Folio 60; and described now as follows: North 74 1/4 degrees West, 66 feet; North 59 1/4 degrees West, 66 feet; North 56 degrees West, 99 feet; North 52 1/4 degrees West, 537.9 feet; South 24 degrees 34 minutes West, 1,089 feet; South 64 degrees 24 minutes East, 1,897.5 feet to the beginning of the first line of the parcel of land described in the Deed recorded in Liber 180, Folio 60; and North 23 degrees West, 1,534.5 feet to the point of beginning as described above.

Containing 1,350,360 square feet or 31 acres of land, more or less.

94-116

05-31-94



6-7-94

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 12th
Posted for: Special Exception
Petitioner: The Redemptionists of Baltimore City
Location of property: 7401 German Hill Rd, Sub.
Location of Signs: Facing road along property boundary
Remarks: [Signature]
Post by: [Signature]
Number of Signs: 1
Date of return: 7/15/94

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 1, 1994

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 30, 1994.

A. HENRIKSON
LEGAL AD. - TOWSON

NOTICE OF HEARINGS

The Zoning Commissioner of Baltimore County, by authority of the Zoning and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 104 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118 Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 on the following dates:

Case: 94-514-X (Item 502)

July 20, 1994 at 8:00 a.m. in Room 118, Old Courthouse.

Special Exception for construction of five (5) mausoleums, office building and maintenance building at the Sacred Heart Cemetery.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are held on Wednesdays, July 20, 1994 at 8:00 a.m. in Room 118, Old Courthouse.

Special Exception for construction of five (5) mausoleums, office building and maintenance building at the Sacred Heart Cemetery.

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LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County



RECEIPT
94-514-X

Account: R-001-6150

Number: JCM

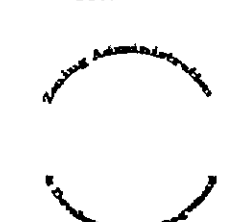
Date: 6-8-94

THE REDEMPTIONISTS of BALTO. CITY, 7401 GERMAN HILL RD.
Sp. Ex. (050) 300.7
R. ASST. AD. (0830) 35.25
IS RECD. 335.25

Please Make Checks Payable To: Baltimore County

Cashier Validation

ORDER RECEIVED FOR FILING
Date 6/28/94
By [Signature]

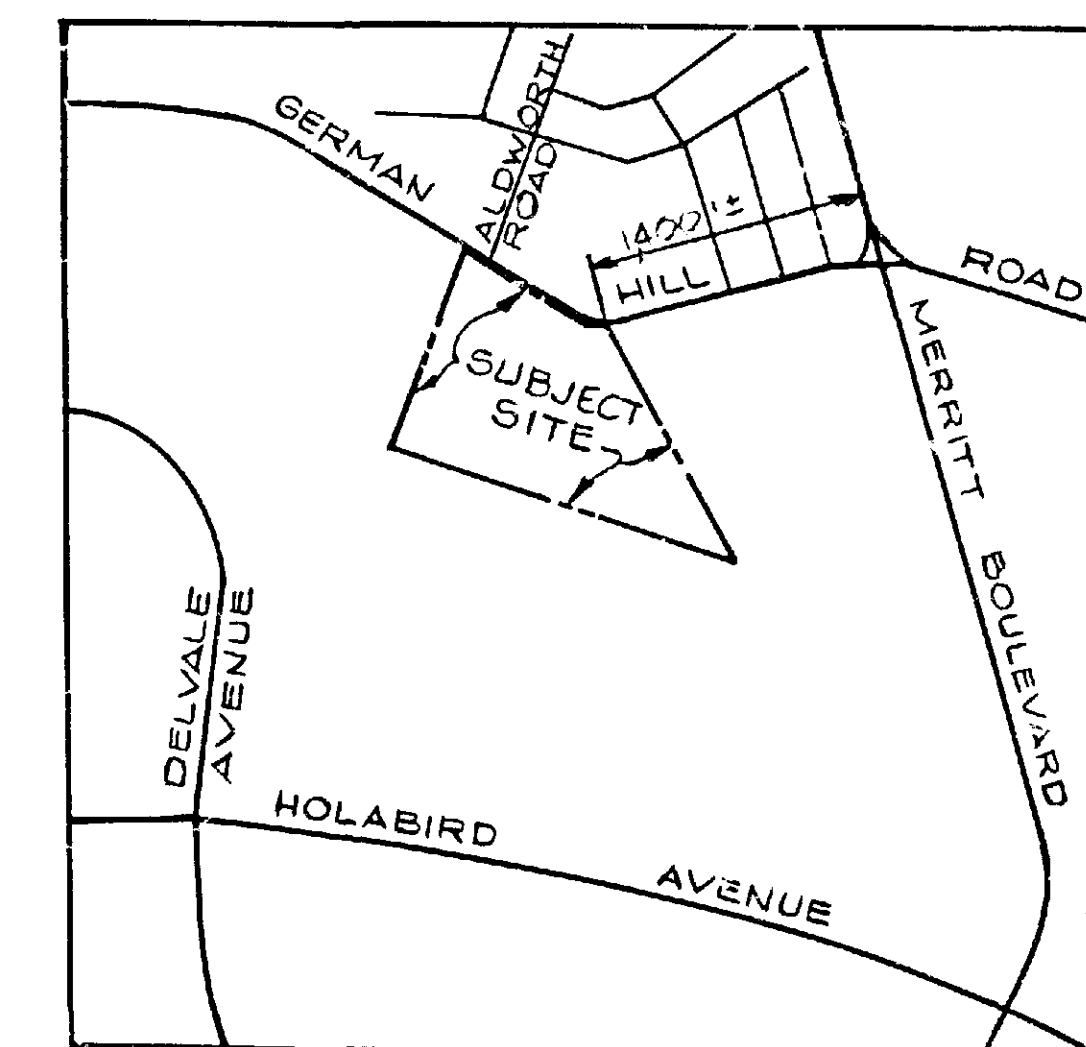
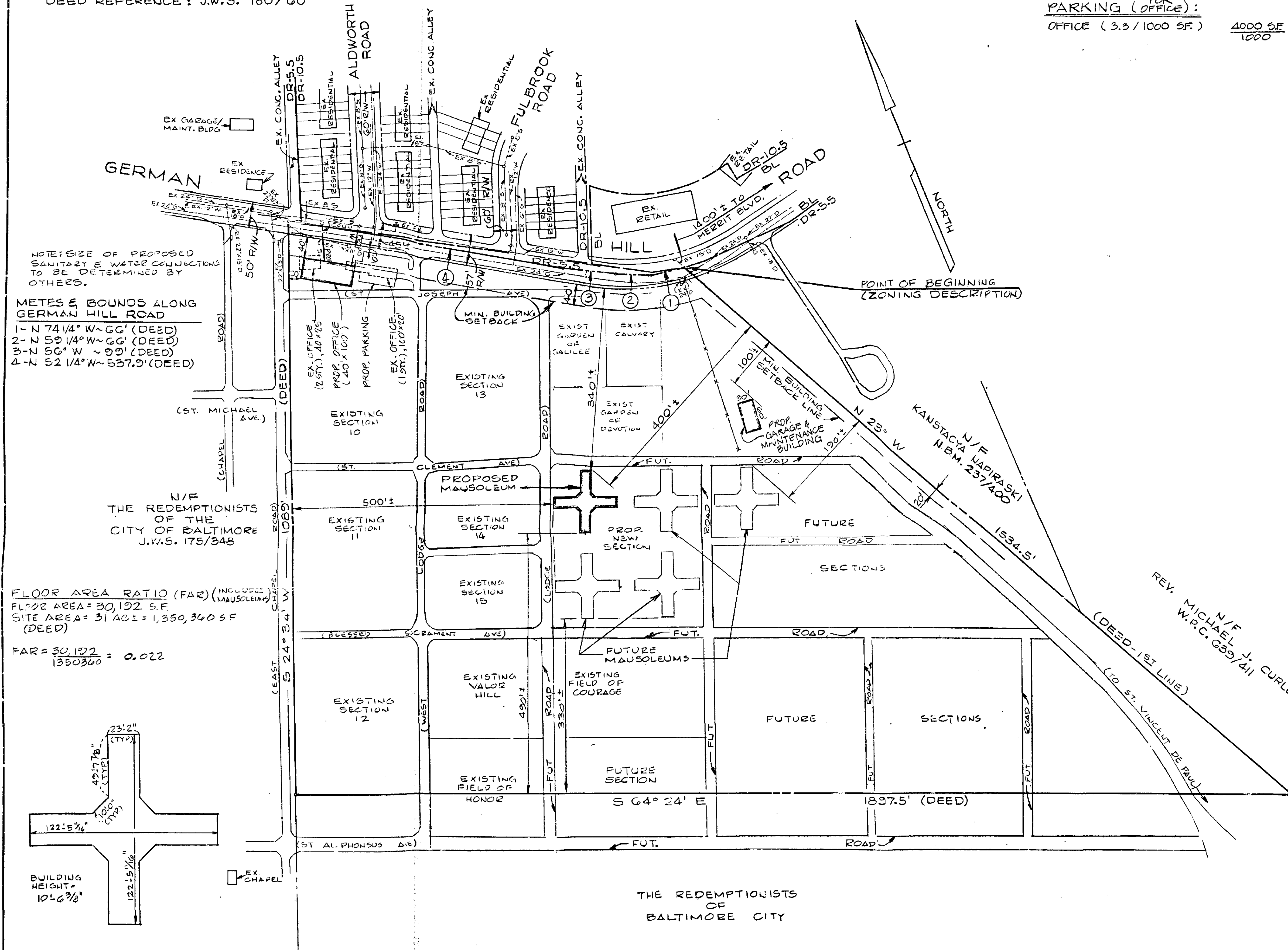


502

PLAT TO ACCOMPANY PETITION FOR ZONING ☐ VARIANCE ☒ SPECIAL EXCEPTION

PROPERTY ADDRESS: #7401 GERMAN HILL ROAD
OWNER: THE REDEMPTIONISTS OF BALTIMORE CITY
DEED REFERENCE: J.W.S. 180/60

PARKING (FOR OFFICE):
OFFICE (3.3/1000 SF) $\frac{4000 \text{ SF} \times 3.3}{1000} = 14 \text{ PS.}$



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SCALE: 1" = 1000'

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COUNCILMANIC DISTRICT: 7
1" = 200' SCALE MAP: SE 2-E & 2-F
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PREVIOUS COMMERCIAL PERMIT:
SEWER WATER: ☒ YES ☐ NO
CHESAPEAKE BAY CRITICAL AREA: ☐ YES ☒ NO
PRIOR ZONING HEARINGS: NONE ON RECORD

ZONING OFFICE USE ONLY!
REVIEWED BY: ITEM # CASE #

JCM 502

94-514-X

PETITIONER'S
EXHIBIT No 1

DATE	REVISIONS

DEVELOPMENT ENGINEERING CONSULTANTS, INC.
SITE ENGINEERS & SURVEYORS
6603 YORK ROAD (410) 377-2600 BALTIMORE, MARYLAND 21212

OWNER:
THE REDEMPTIONISTS OF BALTIMORE CITY
7401 GERMAN HILL ROAD
BALTIMORE, MD, 21222

PLAT TO ACCOMPANY SPECIAL EXCEPTION
SACRED HEART OF JESUS CEMETERY
12TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

SHEET 1 OF 1
DATE JUN. 7, 1994
SCALE 1" = 100'
CONTRACT NUMBER 94-116

RE: PETITION FOR SPECIAL EXCEPTION *
7401 German Hill Road, SW/S German
Hill Road, 14003 W of c/I Merritt *
Boulevard, 12th Election Dist., 7th
Councilmanic *
The Redeptionists of Balto. City *
Petitioners * * * * *

BEFORE THE
ZONING COMMISSIONER
FOR BALTIMORE COUNTY
CASE NO.: 94-514-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12 day of June, 1994, a copy of the foregoing Entry of Appearance was mailed to Thomas A. Church, Development Engineering Consultants, Inc., 6603 York Road, Baltimore, Md. 21113, representative for Petitioners.

PETER MAX ZIMMERMAN

• Applicant ADVISED ATTY.
Must BE PRESENT
AT HEARING.
502

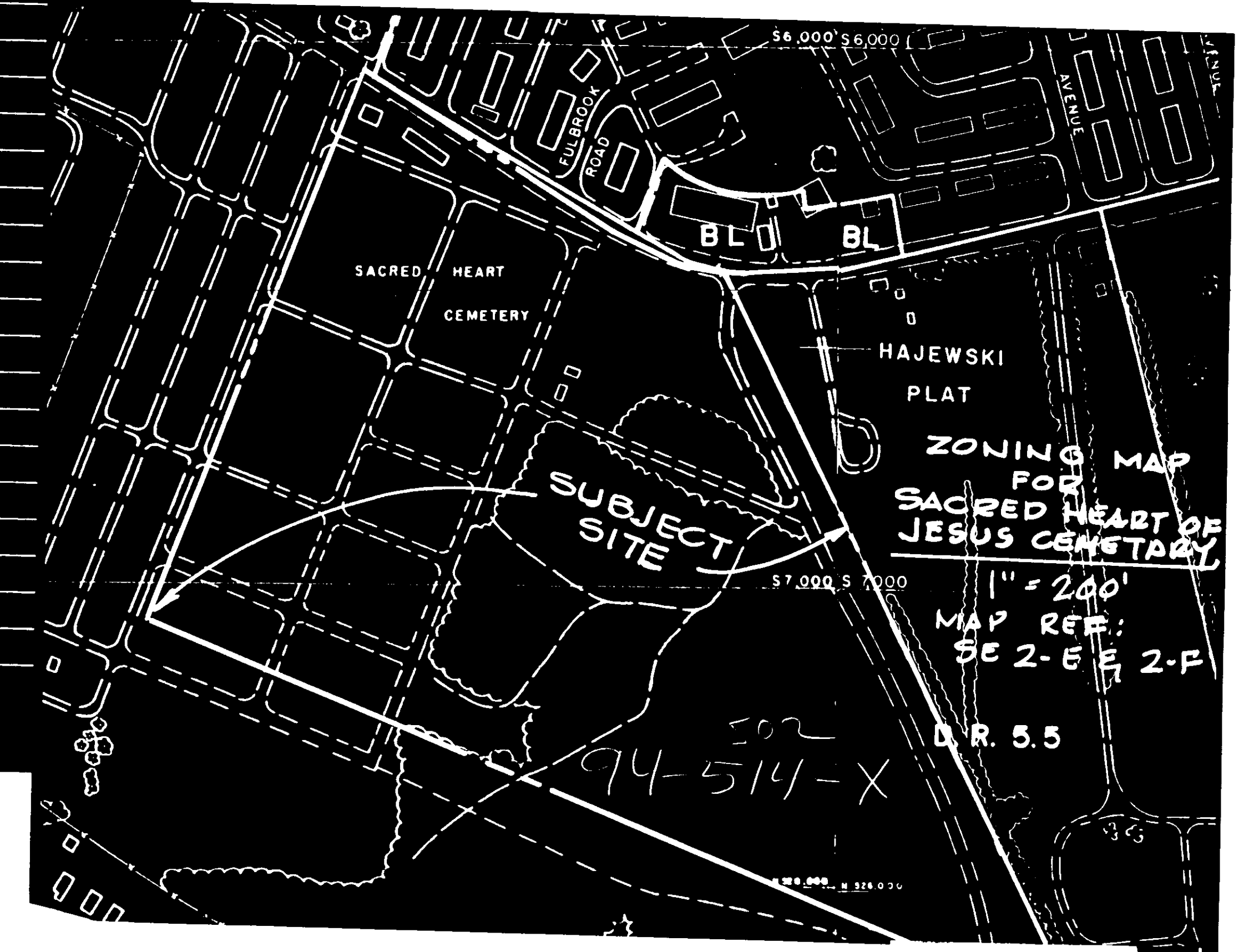
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

T.A. Church (Engineer) 6603 York Rd. 21212
Richard A. Komalazyk Attorney 3328 E. Baltimore St.
Balto. 21224



Item Number: 502
Planner: JCM
Date Filed: 6-20-94

PETITION PROCESSING FLAG

This petition has been accepted for filing, after an initial review, and has been placed on the agenda for the zoning advisory committee. However, the following items were found to be missing or incomplete when the petition was included on the agenda by Sophia. A copy of this "flag" will be placed in the case file for the Zoning Commissioner's review. The planner that accepted the petition for filing has the option of notifying the petitioner and/or attorney prior to the hearing or the Zoning Commissioner's review of the petition regarding the items noted below. If the petitioner/attorney is contacted by the planner, it is the petitioner's ultimate decision and responsibility to make a proper application, address any zoning conflicts, and to file revised petition materials if necessary. Delays and unnecessary additional expenses may be avoided by correcting the petition to the proper form.

Need an attorney

The following information is missing.

- Descriptions, including accurate beginning point
- Actual address of property
- Zoning
- Acreage
- Plats (need 12, only submitted)
- 200 scale zoning map with property outlined
- Election district
- Councilmanic district
- WAZR section information and/or wording
- Hardship/practical difficulty information
- Owner's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Contract purchaser's signature (need minimum 1 original signature) and/or printed name and/or address
- Signature (need minimum 1 original signature) and/or printed name and/or title of person signing for legal owner/contract purchaser
- Power of attorney or authorization for person signing for legal owner and/or contract purchaser
- Attorney's signature (need minimum 1 original signature) and/or printed name and/or address and/or telephone number
- Notary Public's section is incomplete and/or incorrect and/or commission has expired

PET-FLAG (TWYSOPH)
11/17/93

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied; however, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be assessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

For newspaper advertising:

Item No.: 502

Petitioner: The Redeptionists of Baltimore City

Location: 7401 German Hill Rd. Towson, Md. 21222

PLEASE FORWARD BILL TO:

NAME: Thomas Church

ADDRESS: 6603 York Road

Baltimore, Maryland 21212

* PHONE NUMBER: 377-2600

MUST BE SUPPLIED

TO: FUTURE PUBLISHING COMPANY
June 30, 1994 Issue - Jeffersonian

Please forward billing to:

Thomas Church
6603 York Road
Baltimore, Maryland 21212
377-2600

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-514-X (Item 502)

7401 German Hill Road

SW/S German Hill Road, 1400 feet W of c/l Merritt Boulevard

12th Election District - 7th Councilmanic

Petitioner(s): The Redeptionists of Baltimore City

HEARING DATE: WEDNESDAY, JULY 20, 1994 at 9:00 a.m., Rm. 118, Old Courthouse

Special Exception for construction of five (5) mausoleums, office building, and maintenance building at the Sacred Heart Cemetery.

LAURENCE E. SCUDRY

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3351.

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

June 22, 1994

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

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Special Exception for construction of five (5) mausoleums, office building, and maintenance building at the Sacred Heart Cemetery.

Arnold Jablon

Director

cc: Rev. Dennis Foley, C.S.R.

Thomas A. Church

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3351.

Printed with Recycled Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 6, 1994

Dennis Foley, C.S.R.
The Redeptionists of Baltimore City
7401 German Hill Road
Baltimore, Maryland 21222

RE: Case No. 94-514-X, Item No. 502
Petition for Special Exception
Petitioner: The Redeptionists of Baltimore City

Dear Mr. Foley:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above-referenced petition, which was accepted for filing on June 20, 1994 and scheduled for a hearing accordingly. Any attached comments from a reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., zoning commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the hearing file.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- The director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by zoning personnel.

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Charlotte Minton
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 4502 (JCM)

Dear Ms. Minton:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
for DAVID N. KAMSEY, ACTING CHIEF
John Constable, Chief
Engineering Access Permits
Division

BS/

My telephone number is
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 (toll-free)

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21206-5500

(410) 887-4500

DATE: 06/22/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1100

RE: Property Owner: THE REDEMPTIONISTS OF BALTIMORE CITY

LOCATION: SW/S GERMAN HILL RD., 1400' W OF CENTERLINE MERRITT BLVD.
(7401 GERMAN HILL RD. SACRED HEART CEMETERY)

Item No.: 502

Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4861, MS-1100F

cc: File

Printed on Recycled Paper

RECEIVED
JUN 23 1994
ZADM

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: June 28, 1994

SUBJECT: 7401 German Hill Road

INFORMATION:

Item Number: 502

Petitioner: The Redeptionists of Baltimore City

Property Size:

Zoning: D.R. 5.5

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

Based upon a review of the information provided and analysis conducted, it is clear to staff that the surrounding residents will in no way be impacted by the proposed mausoleums.

Prepared by: Jeffrey M. Long

Division Chief: John J. Keller

PK/JL:lw

ZAC.502/PZONE/ZAC1

Pg. 1

IN RE: PETITION FOR SPECIAL EXCEPTION
SW/S German Hill Road, 1400 ft.
W of c/1 Merritt Boulevard
7401 German Hill Road
12th Election District
7th Councilmanic District
The Redemptionists of Baltimore
City, Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 94-514-X
City, Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Exception for the property located at 7401 German Hill Road near that roadways intersection with Merritt Boulevard. The property is the site of the Sacred Heart of Jesus Cemetery, a use for this property which has existed for nearly 100 years. Special Exception relief is requested to allow the construction of 5 mausoleums, office building and maintenance building on the subject site.

Appearing at the public hearing held for this case was Thomas A. Church, an engineer/surveyor from Development Engineering Consultant, Inc.. Mr. Church prepared the site plan marked as Petitioner's Exhibit No. 1. Also present was Richard A. Kowalczyk, Esquire, representing the owners of the cemetery, The Redemptionists of Baltimore City. There were no Protestants present.

Testimony and evidence presented was that the subject site is approximately 31 acres in area and is zoned D.R.5.5. As noted above, this property has been used as a cemetery for many years. The Petitioner proposed constructing 5 mausoleum buildings within the interior of the site. The mausoleum will be configured in the shape of a cross and provide additional area for interment. Moreover, an old residence which is formerly the home of the caretaker will be razed. In its place, the Petitioner will construct a small office building and a maintenance building for use of the property owners.

The proposed uses are permitted in a D.R.5.5 only by special exception. In order for the special exception to be approved, the Petitioner must adduce testimony and evidence that the proposed use will not be detrimental to the health, safety and general welfare of the locale. This specific standards to be applied to the Petitioner is found in Section 502.1 of the Baltimore County Zoning Regulations (BCZR).

A comment from the Zoning Plans Advisory Committee (Office of Planning and Zoning) stated that "... the surrounding residents will in no way be impacted by the proposed mausoleums." I fully concur with this assessment. It is clear that the proposed additions will not change the character of the existing use in any manner. This is a large tract and the use thereof is well established. The proposed additions are entirely consistent with that use and clearly will not be detrimental to the surrounding community. Based upon the uncontradicted testimony and evidence presented, I will, therefore, approve the Petition for Special Exception.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 28th day of July, 1994 that, pursuant to the Petition for Special Exception, approval for construction of 5 mausoleums, office building and maintenance building on the subject site, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this order is reversed, the Petitioner would be required to return, and be responsible for

returning, said property to its original condition.

LES:mn

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

Suite 113, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-1386

July 28, 1994

Richard A. Kowalczyk, Esquire
3328 E. Baltimore Street
Baltimore, Maryland 21224

RE: Petition for Special Exception
Case No. 94-514-X
The Redemptionists of Baltimore City, Petitioner

Dear Mr. Kowalczyk:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Exception has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mn
att.
cc: Mr. T.A. Church
Development Engineering Consultants, Inc.
6603 York Road
Baltimore, Md. 21212

Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 7401 GERMAN HILL ROAD
which is presently zoned DR-5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner of the property situated in Baltimore County and herein described in this description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

CONSTRUCTION OF FIVE (5) MAUSOLEUMS, OFFICE BUILDING AND MAINTENANCE BUILDING AT THE SACRED HEART OF JESUS CEMETERY.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner:
THE REDEMPTIONISTS
OF BALTIMORE CITY

Signature: _____
Address: _____
City: _____ State: _____ Zip: _____

Signature: _____
Address: _____
City: _____ State: _____ Zip: _____

Signature: _____
Address: _____
City: _____ State: _____ Zip: _____

Signature: _____
Address: _____
City: _____ State: _____ Zip: _____

Signature: _____
Address: _____
City: _____ State: _____ Zip: _____

Signature: _____
Address: _____
City: _____ State: _____ Zip: _____

Signature: _____
Address: _____
City: _____ State: _____ Zip: _____

ZONING DESCRIPTION

Zoning Description for #7401 German Hill Road, Election District 12, Councilmanic District 7.

Beginning at a point at the centerline of German Hill Road which is 57 feet wide at a distance of 1,400 feet west of the centerline of the nearest improved intersecting street Merritt Boulevard which is variable width; being at the end of the first line of the parcel of land described in the Deed recorded in Liber 180, Folio 60; and described now as follows: North 74 1/4 degrees West, 66 feet; North 59 1/4 degrees West, 66 feet; North 56 degrees West, 99 feet; North 52 1/4 degrees West, 537.9 feet; South 24 degrees 34 minutes West, 1,089 feet; South 64 degrees 24 minutes East, 1,897.5 feet to the beginning of the first line of the parcel of land described in the Deed recorded in Liber 180, Folio 60; and North 23 degrees West, 1,534.5 feet to the point of beginning as described above.

Containing 1,350,360 square feet or 31 acres of land, more or less.

94-116

05-31-94



6-7-94

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District: 12th
Posted for: Special Exception
Petitioner: The Redemptionists of Baltimore City
Location of property: 7401 German Hill Road, Sub.
Location of Signs: Facing road along property boundary
Remarks: _____
Posted by: M. Church
Number of Signs: 1
Date of return: 7/15/94

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 1, 1994
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 30, 1994.

A. HENRIKSON
LEGAL AD. - TOWSON

NOTICE OF HEARINGS

The Zoning Commissioner of Baltimore County, by authority of the Zoning and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 101 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118 Old Courthouse, 400 W. Washington Avenue, Towson, Maryland 21204 on the following dates:
Case: 94-514-X
(Item 502)
July 20, 1994 at 8:00 a.m. in Room 118, Old Courthouse.
Special Exception for construction of five (5) mausoleums, office building and maintenance building at the Sacred Heart Cemetery.
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are held on Wednesdays, July 20, 1994 at 8:00 a.m. in Room 118, Old Courthouse.
(2) If you require additional information concerning the filing and hearing, please call 887-3391, 8436 June 30.



RECEIVED
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

Number: JCM

Date: 6-8-94

THE REDEMPTIONISTS of BALTO. CITY, 7401 GERMAN HILL RD.
Sp. Ex. (050) _____ 300.7
P. R. AD. (050) _____ 35.25
IS RECD. _____ 335.25

Please Make Checks Payable To: Baltimore County